



CARLOS ALEJO,

Petitioner,

v.

Respondent .

Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition, the records on file, and the Report and Recommendation of United States Magistrate Judge and has considered *de novo* the portions of the Report as to which objections have been filed. The Court accepts the Magistrate Judge's Report and adopts it as its own findings and conclusions. The cross of Benarides's testimony, upon which petitioner

DATED

A. HOWARD MATZ
UNITED STATES DISTRICT JUDGE